

**MINUTES  
TOWN OF EDGEWOOD  
REGULAR COUNCIL MEETING – JULY 16, 2008 @ 6:30 P.M.  
EDGEWOOD COMMUNITY CENTER - #27 E. FRONTAGE ROAD**

**1. CALL TO ORDER.**

Mayor Stearley called the meeting to order at 6:30P.M. All Councilors were present with the exception of Councilor Felton.

Also present were Ms. Karen Mahalick, Community Planning & Development Manager, Ms. Estefanie Muller, Acting Administrator Clerk-Treasurer, and Ms. Tracy Sweat, Interim Office Assistant.

**2. PLEDGE OF ALLEGIANCE.**

**3. APPROVAL OF AGENDA.**

**MOTION:** Councilor Hill made a motion to approve the Agenda as presented.  
Councilor Simmons seconded the motion.

**VOTE:** Councilor Abrams voted aye. Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

**4. MATTERS FROM THE MAYOR.**

Mayor Stearley discussed the upcoming event for Thursday July 17, 2008 including the presentation of certificates to the YES participants and the Ribbon Cutting Ceremony for the basketball court.

**5. MATTERS FROM THE COUNCILORS and/or ANNOUNCEMENTS.**

Councilor Abrams updated the Council on Nuclear vs. Wind energy stating that at this time Wind energy is less expensive then Solar or Nuclear.

Councilor Simmons stated that she was distressed to learn that a member of the community was not able to get a copy of the recorded minutes.

Ms. Muller stated that she went through the appropriate steps to verify the legality of releasing the recordings before Council approval and that now the issue has been resolved.

**6. CLOSED SESSION.**

**As per motion and roll call vote, pursuant to NMSA 1978, 10-15-(H)(7), the following will be discussed in Closed Session.**

- Pending Litigation.

**MOTION:** Councilor Hill made a motion to go into closed session. Councilor Abrams seconded the motion.

**VOTE:** Councilor Simmons voted aye. Councilor Hill voted aye. Councilor Abrams voted aye. The motion carried.

**MOTION:** Councilor Hill made a motion to come back into open session. Councilor Abrams seconded the motion.

**VOTE:** Councilor Abrams voted aye. Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

**CONFIRMATION:** Councilor Hill confirmed that the discussion was limited to the agenda item listed and no action was taken. Councilor Hill also stated that Councilor Felton and Mr. Marcus Rael, Town Attorney participated telephonically. Councilor Abrams confirmed. Mayor Stearley confirmed. Councilor Hill confirmed. Councilor Simmons confirmed.

**7. COMMUNITY DEVELOPMENT REPORT.**

A. Bid Presentation – Phase II Frost Road Project.

Ms. Mahalick discussed the bid presentation for Phase II Frost Road stating that Star Paving was the low bidder.

Councilor Simmons expressed some concern with the costs going over when using Star Paving in the past.

Ms. Mahalick stated that she would make sure that Star Paving was aware of the Towns concerns.

Councilor Hill expressed his concerns about the cost of asphalt going up.

Mr. Tappan Mahoney of Dennis Engineering clarified the contract concerning the increasing price of asphalt and stated that he would document any increases and update Council before making a recommendation.

Ms. Mahalick stated that she could monitor the cost of asphalt in the coming months.

B. Plaza Loop Median Removal Project.

Ms. Mahalick updated Council on the cost of removing the medians.

Councilor Simmons asked about the delivery truck issues for the Pizza Barn.

Ms. Mahalick stated that the owner was involved in the construction and that she has seen deliveries and was not aware of any problems that the median posed for the trucks.

C. Kiosk Sign Program Update.

Ms. Mahalick provided a graphic of a directional sign that the City of Albuquerque uses for Councils review and discussed the size, language, and administration of these signs.

Councilor Hill stated that he felt this would work in the Town.

Ms. Mahalick updated Council on the Capital Improvement Committee will be attending the Planning & Zoning Commission meeting July 21, 2008.

**8. CHAMBER OF COMMERCE – Ms. Myra Oden.**

D. Quarterly Report.

Ms. Myra Oden reviewed her report with Council and the changes.

E. Run, Rally, & Rock Advertising Budget.

Ms. Oden discussed the ad that would be placed in the Albuquerque Journal Venue insert before the event.

Mayor Stearley reviewed a Spend Plan for the \$15,000.00 allocated for Promotional Funds and asked for Councils input.

Ms. Oden discussed a conversation she had with the Manager of Wal-Mart who told her that their largest income for GRT was during the SASS events. Ms. Oden stated that it made her happy to report that events will bring money into the community and therefore are a benefit to the Town.

Mayor Stearley and Council discussed the allocation of promotional funds.

**MOTION:** Councilor Hill made a motion to internally adjust the funds to \$3847.42 for Run, Rally, & Rock to cover the deficit for the Chamber of Commerce. Council Abrams seconded the motion.

**VOTE:** Councilor Abrams voted aye. Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

**9. LEASE AGREEMENT – CHAMBER OF COMMERCE.**

Ms. Muller reviewed the revisions that were made to Agreement at the request of Mr. Rael, Town Attorney.

Ms. Muller stated that the postage costs would be handled in a separate agreement and/or in-house.

**MOTION:** Councilor Simmons made a motion to accept the Lease Agreement for the Chamber of Commerce. Councilor Abrams seconded the motion.

**VOTE:** Councilor Simmons voted aye. Councilor Hill voted aye. Councilor Abrams voted aye. The motion carried.

**10. PARKS & RECREATION REPORT.**

F. Report for the month of June, 2008

Mr. Holden reviewed his report for the month of June, 2008.

G. Parks & Recreation Meeting Minutes for the month of March, 2008 (To be approved at the Parks & Recreation Meeting of July 24, 2008).

H. Parks & Recreation Meeting Minutes for April, 2008 (Meeting held - no quorum)

I. Parks & Recreation Meeting Minutes for May, 2008 (Meeting held – no quorum)

J. Parks & Recreation Meeting Minutes for June, 2008 (To be approved at the July 24, 2008 Parks & Recreation Meeting).

Mr. Holden discussed the meeting regarding the thinning on Section 32.

Mr. Holden reported on the Ordinance that will establish permitted activity on Open-Space and Trails within the Town.

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Initials

Mr. Holden discussed the trails next to Old Hwy 66 and Wal-Mart.  
Mr. Holden discussed the ribbon cutting for the Basketball Court scheduled for July 17, 2008.  
Mr. Holden stated that a representative from Soil Secrets would be attending the next Parks & Recreation meeting.

**11. ANIMAL CONTROL REPORT.**

K. Animal Control Report for the month of June, 2008.  
Ms. Vicki Murphy reviewed her report for the month of June, 2008.  
Ms. Murphy thanked the Telegraph for printing the pictures of the Pet of the Week stating that it has been very successful placing the animals, 100% for dogs.  
Ms. Murphy stated that there would be a spay/neuter clinic on August 14, 2008.  
Ms. Murphy stated that the cattery had been moved and that the painting and electrical was scheduled.

**12. PUBLIC COMMENTS. (Limit to 2 minutes per person).**

**Note: If you plan to testify under Public Hearings, please do not sign up for the same topic.**

Mr. Chuck Ring discussed the cat-house and the Raffle tickets that are on sale to benefit the Music Festival.

Mr. Ring also discussed the timber and weeds that needed to be maintained around the Town.

Ms. Mahalick stated that the Town was waiting for a decision to be made regarding the removal of the medians before they begin trimming and weed removal.

Ms. Sarah Silverstein stated that she was a representative for Tom Udall. She stated that they would have a booth at Run, Rally, & Rock as well as the Music Festival to make a presence in Edgewood.

Mr. Fred Burger discussed the Sewer Plant, the cost of asphalt going up, dust abatement, and the signs prohibiting fireworks and enforcement.

Ms. Mahalick and Mayor Stearley responded to Mr. Burger's questions and updated the public on the status of the Sewer and Road projects.

Ms. Pamela Clark stated that there is a need to have some recycling facilities available for Edgewood.

Ms. Mahalick responded stating that it is something that the Town is working on, however, ALCOA has stated that it is not economically feasible at this time.

Ms. Carol Ring discussed the weeds that are growing in front of Wal-Mart requesting that the Town hire someone to cut & control the weeds. The weeds are on Town property.

Ms. Ring also discussed the Flea Market to be held July 19, 2008 and she encourages participation.

**13. APPROVAL OF PREVIOUS MINUTES.**

L. Regular Council Meeting Minutes of July 2, 2008.

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**MOTION:** Councilor Hill made a motion to approve the Minutes as presented.  
Councilor Simmons seconded for discussion.

Councilor Simmons discussed the returning of signs by NMDOT.

**VOTE:** Councilor Abrams voted aye. Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

**14. ACKNOWLEDGE RECEIPT OF THE PLANNING & ZONING COMMISSION MEETING MINUTES.**

M. Planning & Zoning Commission Meeting Minutes of July 7, 2008.

**MOTION:** Councilor Hill made a motion to acknowledge the receipt of the Planning & Zoning Meeting Commission Meeting Minutes. Councilor Abrams seconded the motion.

Councilor Hill expressed concern about the discussion of perjury at the Commission Meeting. Ms. Mahalick clarified that it was for reasons of general knowledge. Councilor Hill requested that it be stated as such in the future for clarification.

**VOTE:** Councilor Abrams voted aye. Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

**15. PUBLIC HEARINGS.**

**Legislative Procedure: Certification that Public Notice of this Meeting has been posted as required: (Note: This Hearing was tabled from the Regular Council Meeting of July 2, 2008).**

Ms. Mahalick certified that Public Notice of this meeting has been posted as required.

N. Amend the Subdivision Ordinance for Procedures on Naming Roads.

Ms. Mahalick refreshed Council on this item, stating that this basically codifies the Towns procedures.

Mayor Stearley, Council and Ms. Mahalick discussed the process for the public.

Mayor Stearley stated that the Council only needed to decide on the process tonight.

Councilor Hill clarified the intention of the Ordinance.

Councilor Abrams asked to have #3 changed to mandate a petition.

Councilor Hill asked that the Ordinance state that the Council can change the name of a road to avoid duplication or in the interest of public safety, but that public interest would require a petition.

Mr. Chuck Ring stated that he found it hard to believe that NMDOT does not have a procedure for changing the name of a road. He also stated that Council needed to get this nailed down.

Mr. Bassett stated that the Council needs to remember that there are 3 roads to be considered here and to be sure which road they are changing the name on.

**(ROLL CALL VOTE)**

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Initials

**MOTION:** Councilor Hill made a motion to table this item until the Council Meeting on August 6, 2008 to allow staff to make the recommended changes. Councilor Abrams seconded the motion.

Councilor Simmons asked for staff to inquire about the standards for changing a road name from NMDOT.

**VOTE:** Councilor Simmons voted aye. Councilor Hill votes aye. Councilor Abrams voted aye. The motion carried.

**Legislative Procedure: Certification that Public Notice of this Meeting has been posted as required: (Note: This Hearing was tabled from the Regular Council Meeting of July 2, 2008).**

O. Ordinance No. 2006-06 Creating the Position of Town Administrator Clerk-Treasurer.

Mayor Stearley reviewed Ordinance No. 2006-06 and the information included in the packet.

Mayor Stearley stated that he recommends the Ms. Muller be utilized in the role of Clerk-Treasurer.

Ms. Mahalick reviewed the purpose of this item being a public hearing.

Councilor Hill asked about separating Administrator from Clerk-Treasurer and stated that there should be an individual that has a separate view from the Mayor and the Council.

Councilor Simmons reviewed her understanding of the Administrator.

Councilor Hill discussed the various forms of government.

Ms. Mahalick stated that the way it is now is very confusing and this needs to be clarified.

Mayor Stearley stated that hiring and firing should remain a decision of the Council.

Councilor Simmons read part of the Ordinance stating that it could be changed or rescinded.

**MOTION:** Councilor Hill made a motion to rescind Ordinance No. 2006-06 Creating the Position of Town Administrator Clerk-Treasurer. Councilor Abrams seconded for discussion.

Mr. Ring stated the Governing Body wanted the Administrator Clerk-Treasurer as a combined position at the time it was approved and that Los Lunas is a great example of Mayor, Administrator type government.

Ms. Sue West stated that she would like to have a Town Manager so that there would be some diversity in opinion.

**VOTE:** Councilor Abrams voted aye. Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

## **16. APPOINTMENT OF CLERK-TREASURER.**

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Initials

**MOTION:** Councilor Simmons made a motion to appoint Ms. Estefanie Muller to the Clerk-Treasurer position. Councilor Hill seconded the motion.

**VOTE:** Councilor Simmons votes aye. Councilor Hill voted aye. Councilor Abrams voted aye. The motion carried.

**17. APPROVAL OF ORGANIZATION CHART.**

**MOTION:** Councilor Abrams made a motion to accept the Organizational Chart with the inclusion of the Capital Improvement Advisory Committee, the Development Fee Committee, and the Energy Resources Committee. Councilor Hill seconded the motion.

**VOTE:** Councilor Abrams voted aye. Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

**18. SASS – MS. LOUANN HUNT.**

P. Request for Road Name Change.

Q. Discuss Funding to Continue Paving Barton Road.

**MOTION:** Councilor Simmons made a motion to table this item. Councilor Hill seconded the motion.

**VOTE:** Councilor Abrams voted aye. Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

**19. TOWN OF EDGEWOOD BUDGET FOR FISCAL YEAR 2008-2009.**

R. Resolution No. 2008-45 Approval of Final Budget.

Ms. Muller reviewed the status of the Budget and updated Council as to the changes and clarifications that DFA requested.

**MOTION:** Councilor Hill made a motion to adopt Resolution No. 2008-45. Councilor Abrams seconded the motion.

**VOTE:** Councilor Abrams voted aye. Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

**20. FINANCE & ADMINISTRATION.**

S. Approval of Town Bills for the month of June, 2008

**MOTION:** Councilor Simmons made a motion to approve the Town Bills for the month of June, 2008. Councilor Hill seconded the motion.

Mayor Stearley asked for an additional column on this report that shows the budget so an easy comparison can be made by fund.

Mayor Stearley updated the Council on closing the books for the last Fiscal Year.

Councilor Hill asked if a professional needed to be brought in to help.

Ms. Mahalick stated that at this time it was under control and if that changed Council would be informed.

**VOTE:** Councilor Abrams voted aye. Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

Councilor Simmons asked Ms. Mahalick about the status of the Agreement with Santa Fe County regarding what portion of the Sewer System they will own.

Ms. Mahalick updated Council on the status of this agreement.

Ms. Simmons stated that she would prefer their ownership could be in capacity.

T. Approval of Financial Statement for the month of June, 2008.

**MOTION:** Councilor Simmons made a motion to approve the Financial Statement for the month of June, 2008. Councilor Hill seconded the motion.

**VOTE:** Councilor Abrams voted aye. Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

**21. ANNOUNCEMENTS, CALENDAR REVIEW & FUTURE AGENDA ITEMS.**

U. Regular Council Meeting – August 6, 2008 @ 6:30 P.M.

V. Regular Council Meeting – August 20, 2008 @ 6:30 P.M.

**22. ADJOURN.**

**MOTION:** Councilor Simmons made a motion to adjourn the meeting. Councilor Hill seconded the motion.

**VOTE:** All Councilors voted aye.

Mayor Stearley adjourned the meeting at 9:50 P.M.

**APPROVED AND ADOPTED this 16<sup>th</sup> day of JULY, 2008.**

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Honorable Robert Stearley, Mayor

**ATTEST:**

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Estefanie B. Muller, Clerk-Treasurer